

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS
Norfolk Division

SENTENCING MINUTES

Set:	11:00 am	Date:	9/27/2023
Started:	11:07 am	Judge:	Elizabeth W. Hanes, USDJ
Ended:	1:27 pm	Court Reporter:	Jill Trail
		U.S. Attorney:	Graham Stolle & Joe DePadilla
		Defense Counsel:	Jamison Rasberry, CJA
		Courtroom Deputy:	Katie Galluzzo
		Probation Officer:	Nicole Pender
Case No.	2:22cr00083-001		
Defendant:	Brandon D'Angelo Chavis	(X) In Custody	() On Bond

- Came on for disposition.
 Deft found guilty of Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of the Superseding Indictment by trial by jury on 5/19/2023.
- Objections heard and rulings made as to Deft Beasley and Chavis heard together.
- Maximum penalties placed on the record.
- Presentence Report reviewed.
- Court adopts PSR for the purpose of establishing the advisory guidelines.
- Evidence presented. (Witnesses and exhibits listed on last page)
- Arguments of counsel heard. Statement of deft. heard.

SENTENCING GUIDELINES :

Offense Level: 32

Criminal History: VI

Imprisonment Range: 210 to 262 months, plus 420 months consecutive to all other counts

Supervised Release: 1 to 5 years

Fine Range: \$35,000 to \$350,000

Restitution \$3,431.37

Special Assessment: \$1,100

IMPRISONMENT:

SENTENCE: Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11: The deft. shall be committed to the custody of the BOP to be imprisoned for a total term of 420 MONTHS AND 1 DAY with credit for time served. The term consists of 1 DAY on counts 1, 2, 4, 6, 8, and 10, to be served concurrently; a term of 84 MONTHS on count 3, 5, 7, 9, and 11, all to be served consecutively with each other and all other counts.

The deft. is remanded to the custody of the U.S. Marshal.

SUPERVISED RELEASE:

Upon release from imprisonment, the deft. shall be on supervised release for a term of 5 YEARS. The term consists of 3 YEARS on counts 1, 2, 4, 6, 8, and 10; a term of 5 YEARS on counts 3, 5, 7, 9, and 11, all to be served concurrently.

Standard Conditions of Supervised Release/Probation:

The defendant must report to the probation office in the federal judicial district where he/she is authorized to reside within

72 hours of your release from imprisonment, unless the probation officer instructs he/she to report to a different probation office within a different time frame.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

Special Conditions of Supervised Release/Probation:

X If the deft tests positive for controlled substances, he shall participate in a program approved by the United States Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the deft. has reverted to the use of drugs or alcohol, with no costs to be paid by the deft., all as directed by the probation officer.

X The deft. shall participate in a program approved by the United States Probation Office for mental health treatment with no costs to be paid by the deft., all as directed by the probation officer.

X The deft. shall waive all rights of confidentiality regarding substance abuse and mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.

X The deft. shall apply monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation, or in a lesser amount to be determined by the court, upon the recommendation of the probation officer.

X The deft. shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

X The deft. shall provide the probation officer access to any requested financial information.

FINANCIAL PENALTIES

SPECIAL ASSESSMENT:

<u>X</u>	As to count	1	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	2	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	3	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	4	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	5	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	6	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	7	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	8	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	9	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	10	,the deft shall pay a special assessment in the amount of	\$100.00	.
<u>X</u>	As to count	11	,the deft shall pay a special assessment in the amount of	\$100.00	.

The total special assessment due is \$1,100.00 and shall be due in full immediately.

FINE:

X Court finds deft. is unable to pay fine.

RESTITUTION:

- X The deft. shall make restitution in the amount of \$3,431.37.
- X Interest waived.
- X Restitution Judgment Order, entered and filed in open court.
- X Restitution shall be made jointly and severally with Melissa Beasley – 2:22cr00083-001.
-

SCHEDULE OF PAYMENTS:

X The special assessment is due and payable immediately. If restitution is not paid in full immediately, the defendant shall pay at least \$100.00 per month or 25% of net income if gross income exceeds \$35,000.00, beginning 60 days after release from any period of confinement.

X The deft. notified of right of appeal within 14 days

X Court recommends to the Bureau of Prisons:

- X The deft. be incarcerated in or near the Tidewater region of Virginia.
- X The deft. be enrolled in a mental health program.
- X The deft. be enrolled in a 500 hour Residential Drug Abuse Program (RDAP).
- X The deft. be enrolled in a substance abuse treatment program.
- X The deft. be enrolled in an educational or vocational skill program.

X Consent Order of Forfeiture, executed and filed in open court.

Additional Counts/Comments:

Govt Witness: #1 – Keeley Flanagan

- Exhibit #1 – Spreadsheet - ADMITTED
- Exhibit #2 – PowerPoint - ADMITTED
- Exhibit #3 – FD-302 dated 6/13/2022 - ADMITTED
- Exhibit #4 – Case Supplement Report dated 12/6/2021 (pages 26-32) - ADMITTED

Govt Witness: #2 – Justin Goodrich

Deft submits Exhibit #5 – Virginia Department for Forensic Science Request for Laboratory Examination - ADMITTED